



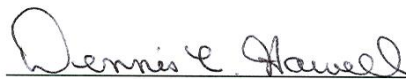
but it does not preclude a later offer. Evidence of an unaccepted offer is not admissible except in a proceeding to determine costs.

Rule 68 provides that an offer of judgment is only to be filed if it has been accepted. The Plaintiff's Response shows that the offer of judgment has not been accepted. The Plaintiff's Response contains impertinent material such as offers of settlement and the undersigned finds it should be stricken from the record.

### **ORDER**

**IT IS, THEREFORE, ORDERED** that Plaintiff's Response to Defendant's Offer of Judgement and Plaintiff's Proposal of Settlement (#23) is **ORDERED** to be **STRICKEN** and removed from the record in this matter.

Signed: May 17, 2017



Dennis L. Howell  
United States Magistrate Judge

